GOVERNMENT RULES

UNDER THE

BENGAL TENANCY ACT, VIII OF 1885
(AS AMENDED BY BENGAL ACT I OF 1907),

WITH

THE BOARD'S INSTRUCTIONS THEREON.

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NOTIFICATION.

No. 2705 T.—R.—The 31st October 1907.—In exercise of the power conferred upon him by sub-section (*2*) of section 61, section 131 and section 189 of the Bengal Tenancy Act, 1885 (VIII of 1885), the Lieutenant-Governor is pleased to direct that the following revised rules under the said Act, which, subject to the modifications now made therein, were published, in accordance with the provisions of sub-sections (1), (2) and (3) of section 190 of the said Act at pages 1371—1398 of the *Calcutta Gazette*, Part I, of the 7th August 1907, shall be substituted for the like rules, which were published with the notification dated the 21st December 1885, at pages 1255—68 of the *Calcutta Gazette*, Part I, dated the 23rd idem, as subsequently added to, modified or altered up to the date of this notification.

E. A. GAIT,

Offg. Chief Secy. to the Govt. of Bengal.

Rules under the Bengal Tenancy Act, 1885 (VIII of 1885)

[as modified by subsequent legislation].

CHAPTER I.—GENERAL.

Regard to be had to instructions of Board of Revenue.

1. In carrying out the following rules, Revenue-officers shall have regard to the instructions of the Board of Revenue for the guidance of Revenue-officers, so far as such instructions are consistent with the rules herein prescribed under Act VIII of 1885.

Supervision and control by Board of Revenue.

2. Except where otherwise provided for by law or by these rules, all proceedings and orders of Revenue-officers, passed in the discharge of any duty imposed upon them by or under this Act, shall be subject to the supervision and control of the Board of Revenue; and the proceedings and orders of each Revenue-officer under this Act shall be subject to the supervision and control of the Revenue-officers to whom he may be declared by the Board of Revenue to be, for the purposes of the Act, subordinate.

The Collector and the Commissioner, in whose jurisdiction operations under these rules are in progress, shall be entitled to inform themselves of the nature and progress of such operations.

Board's Instructions.

Under this rule Assistant Superintendents of the Survey Department appointed to be Revenue-officers are declared to be subordinate to Deputy Superintendents of the Survey Department appointed to be Revenue-officers. Assistant Settlement Officers are declared to be subordinate to Settlement Officers, and Settlement Officers are declared to be subordinate to the Director of Land Records or to the Commissioner, or Collector, as the Board shall, in each case, direct.

Service of notice where mode not prescribed by the Act or these rules.

3. Where no other mode of service of notice is prescribed by the Bengal Tenancy Act or by these Rules, service shall be effected in the manner prescribed for the service of summons on a defendant under the Code of Civil Procedure, if the notice is addressed to one or more persons occupying or owning the same holding or tenure; and, if it is addressed to a number of persons occupying or owning different holdings in the same village, the notice shall be served in the manner prescribed for the service of summons on a defendant under the Code of Civil Procedure, *or* by proclamation and beat of drum, and by posting it, in the presence of not less than two persons, on some conspicuous place in the village, and also by fixing it up in the village office, if any, where the rent is usually paid.

CHAPTER II.—STAPLE FOOD-CROPS AND PRICE-LISTS.

Local areas.

4. *Section 39 (1).*—The local areas under sub-section (*1*) of section 39 shall be those entered in Schedule II annexed to these rules, and the mart specified in the same schedule for each local area shall be that at which prices shall be recorded.

Specification of food-crops by Collector for each local area.

5. *Section 39 (7).*—The Collector, after such enquiry into the relative extent to which particular food-crops are grown in his district, as he may think necessary, shall cause a notice to be affixed in his office, and in the sub-divisional office, specifying the

food-crop or food-crops which in his opinion is or are most extensively grown in each local area.

The notice shall distinguish, as far as may be practicable, between crops grown on high lands and crops grown on low lands and shall fix a day, not being later than fifteen days, after the publication of such notice, on which objections will be taken into consideration.

On the day so fixed the Collector shall take into his consideration the objections, if any, to the enumeration of staple food-crops proposed in the notice; and shall report his opinion thereon to the Board of Revenue.

The Board of Revenue shall submit the Collector's opinion to the Local Government, with such remarks as may seem to them necessary.

The Local Government, after considering the reports of the Collector and the Board of Revenue, shall determine and notify in the *Calcutta Gazette* what shall be deemed staple food-crops in each local area.

Until further orders the crops shown in column 3 of Schedule II hereto appended shall be deemed staple food-crops for the purposes of section 39.

Dates for preparation of price-lists.

6. Price-lists of staple food-crops shall be prepared on one market-day in the month at intervals of not less than twenty days. This market-day shall be selected by the Collector, subject to the control of the Board of Revenue.

Method of determining prices.

7. The price recorded for each staple food-crop shall be the prevailing retail price at which that crop was actually sold in the mart to which the price-list refers on the day selected under the last preceding rule.

Board's Instructions.

Under this rule the price recorded for each staple food-crop shall be the prevailing retail price at which that crop was actually sold in the mart, to which the price-list refers, on the day prescribed in rule 6 of the rules issued by Government—

(*a*) The price recorded should be the average of the prices of the different qualities of the staple crop.

(*b*) The price should always be given in seers of 80 *tolas*, standard weight, per rupee.

(*c*) Care should be taken that the price of the staple crops *grown* in the locality is taken into account and not of those *imported*

(*d*) When rice is the staple, the price to be recorded is the average of the common qualities of husked rice (*mota chaul*) as distinguished from paddy, consumed for the time being by the middle and poorer classes.

(*e*) The average price of the various kinds of *aman* should be shown throughout the year, and that of *aus* separately during the months in which it is sold.

(*f*) The price of *old* and *new* crop should be shown separately when both are being sold at the mart.

Price-lists by whom to be prepared.

8. (1) Price-lists shall ordinarily be prepared by a gazetted officer not below the rank of a Sub-Deputy Collector. But in special cases where a Sub-Deputy Collector is not available, the Collector may authorize a kanungo to prepare the lists.

(2) Where prices are recorded at marts, other than those at the head-quarters of districts, the Collector may, with the sanction of the Commissioner, authorize a Sub-Registrar to prepare the lists on days when no gazetted officer or kanungo is available.

(3) One or two respectable inhabitants of the locality shall always be asked to assist in the preparation of price-lists, and the list shall be signed by at least one of them as well as by the officer preparing it.

Record to be kept by officer preparing price-lists.

9. Every officer charged with the preparation of price-lists shall keep a record showing, as far as practicable,—

(*a*) the date of his visit to the mart at which prices are to be recorded;

(*b*) the names of vendors and purchasers, the quantities sold, and the price thereof, for any sales effected in his presence.

Board's Instructions.

The record prescribed to be kept up with the officer charged with the preparation of price lists under this rule should also contain entries showing the vernacular names of the description of rice and the qualities

of the other staples from time to time, so as to afford a basis for comparison with the qualities and price which may be recorded at any future time, and also in order that whenever a change occurs in the officers charged with the preparation of these lists, the new officers may have the means of ascertaining the qualities of the staples selected by his predecessor.

Scrutiny and countersignature of price-lists prepared by subordinate officer.

10. When price-lists are prepared at the sadar sub-division by an officer other than a Covenanted Deputy Collector, or at other sub-divisions by an officer subordinate to the Sub-divisional Officer or by a Sub-Registrar, they shall be submitted to the Covenanted Deputy Collector, or to a Deputy Collector specially nominated by the Collector for the purpose, or to the Sub-divisional Officer, as the case may be. Such officer shall scrutinize the lists; he may call for explanation and cause manifest errors to be corrected and, having satisfied himself of the accuracy of the lists, he shall countersign them.

Publication of price lists.

11. The price-lists shall be published for not less than one week at the marts to which they respectively refer, at the Collector's or Sub-divisional Officer, and at every police-station and munsifi in the local area.

Board's Instructions.

The lists shall be published under this rule in the form subjoined :—

PRICE-LIST for month of 19
for local area , sub-division , district , is published under clause (*3*) of section 39 of the Bengal Tenancy Act, 1885 (VIII of 1885)

Any objections which any landlord or a tenant of the aforesaid local area may have to any entry in this list should be presented to the Collector, in writing, within a month from the date of its publication :—

Staple food-crop.	Number of seers of 80 tolas sold per rupee.	REMARKS.

District
Sub-division
Collectorate
Dated

Signature of the officer preparing the list

Rank

Submission of price-lists to Board.

12. After the expiry of the term of publication of the price-lists in the mart to which they refer, as mentioned in the last preceding rule, the lists shall be submitted to the Board with any objections made to them, and with the opinions of the officers,

who prepared and countersigned them, and of the Collector, on such objections.

Board's Instructions.

(*a*) The lists shall be submitted to the Board in the following form —

*Price-list for the month of*_____ *190*

District_____

Local area_____

Mart_____

Staple food-crop or crops.	Number of seers of 80 tolas standard weight per rupee.	Substance of objections, [1] if any,	Opinions of the officer who prepared the list and of the officer who examined it under rule 10 and of the Collector, on such objection.	REMARKS.

[1] Any objections made to this list must be forwarded with it.

*Signature of officer who examined the list under Rule 10*_____

*Rank*____

*Date*_____

Signature of officer who prepared the *list*_____

*Rank*_____

*Date*_____

(*b*) Whatever the dates fixed for recording prices in local markets may be, the lists should be submitted to the Board of Revenue immediately after the expiry of one month from the date of their publication in the mart to which they refer.

(*c*) In submitting the lists to the Board, the recording officer should invariably explain in the column of remarks causes of variation in prices quoted during the period under report as compared with the last preceding return The Collector should, after satisfying himself as to the correctness of this statement, initial it. The Collector should, in submitting the lists for the whole district, explain any marked difference between prices ruling in the several local areas of his district

CHAPTER III.—LANDLORDS' IMPROVEMENT.

Application for registration of improvement to whom to be presented.

13. *Section 80.*—An application for the registration of a landlord's improvement may be presented to the Collector of the district or to the officer in charge of the sub-division in which the land benefited by the improvement is situated, or to any Assistant or Deputy Collector who may be specially appointed by the Government to receive such application. It shall, as far as practicable, be in the form (Form 1) specified in Schedule I appended to these Rules, and five copies shall be submitted in respect of each village benefited.

Procedure of officer receiving application.

14. The officer receiving the application shall fix a date for hearing objections to the same. He shall send, by registered letter, copies of the application, with intimation of the date so fixed, to those of the tenants in each village whose names are mentioned in column 8 of the application. He shall also give notice to the tenants generally by beat of drum and by causing a copy of the application and notice of the date, fixed for hearing

objections thereto, to be fixed up in the presence of not less than two persons in some conspicuous place in every such village.

The expenses of such service and publication shall be borne by the applicant for registration

Local inquiry.

15. The officer may make over the application to any of his subordinates, not being below the rank of a Sub-Deputy Collector, for local inquiry and report, and shall, in that case, fix a date for hearing the report, and shall cause such date to be notified to the parties concerned in the manner set forth in rule 14. The inquiry shall be limited to the ascertainment of the fact whether the alleged improvement is of such a nature as to come within the meaning of section 76 (2) of the Bengal Tenancy Act, or not; whether it falls under sub-clause (*e*) of that section, and if so, whether any enhancement of rent is being paid for the original improvement; and whether the cost of the improvement has been correctly stated in the application.

Hearing of parties to application.

16. On the date so fixed, or on any date to which the proceedings may be adjourned, the officer shall hear summarily such of the parties and their witnesses as may attend and shall consider any report submitted to him under rule 15. He shall then decide whether the work is an improvement as defined in section 76 (2) of the Bengal Tenancy Act, and whether the landlord is entitled to register it, and shall accordingly order it to be registered with such modifications of the figure in column 6 of the application as he may deem fit, or shall refuse registration. If the work is fit to be registered as an improvement, the officer shall record clearly whether it falls under sub-clause (*e*) of section 76 (2); and, if so, whether any enhancement of rent is being paid for the original improvement, and, if so, how much.

Saving.

17. Nothing hereinbefore contained shall preclude the officer receiving the application from holding a local inquiry in person, and from ordering the improvement to be registered, or refusing registration in accordance with the result of the inquiry so held.

Confirmation of order passed by officer lower in rank than Collector.

18. If an order refusing to register an improvement is passed by an officer lower in rank than the Collector of the district, such order shall not take effect until confirmed by the Collector of the district.

Powers of officer recording evidence as to improvement.

19. *Section 81(1).*—Evidence relating to any improvement under sub-section (1) of section 81 shall be recorded by the Revenue-officer specified in rule 13, who shall exercise the powers of a Civil Court in the trial of suits, and shall be guided by the provisions of sections 182 and 184 of the Code of Civil Procedure.

CHAPTER IV.—Record of Proprietors' Private Lands.

Application for record of proprietors' private land, to whom to be made.

20. *Section 118.*—Applications under section 118 may be made to the Collector of the district, or to the officer in charge of the sub-division in which the land in question is situated, or to any Assistant or Deputy Collector specially empowered by Government to receive such applications. If the application is made to the Collector of the district, he may transfer it for disposal to any officer empowered by Government to receive it.

Signature of, and particulars to be contained in, application.

21. The application shall be signed by the party making it, and shall contain the following particulars, so far as the applicant is able to furnish them:—

(*a*) the name, tauzi number, and Government revenue of the estate;

(*b*) the names of the registered proprietors, and the share, held by each;

(*c*) the specification of each plot of land referred to in the application, showing the village in which it is situated and the area and boundaries of each plot, if known;

(*d*) the names of the tenants (if any) in occupation of each such plot; and

(*e*) the grounds of the application.

Inquiry on receipt of application.

22. On receipt of the application the officer shall make such inquiry as he may think fit by examining the applicant or his agent, and may call for further particulars before ordering further proceedings.

Measurement of lands where necessary, and deposit of cost thereof.

23. If the area of the lands has not been already ascertained by measurement made by competent agency under the authority of Government, or, if for sufficient reason, a further measurement

is considered desirable, the officer shall order the lands to be measured and shall estimate the cost of measurement in accordance with the rules for the time being in force for the measurement of lands in partition cases, and shall require the applicant to deposit the amount either at once or in such instalments as he may deem fit.

CHAPTER V.—Service of Notices.

Contents of notices under sections 12, 13, 15, 18.

24. *Sections 12, 13, 15, and 18.*—Notices under sections 12, 13, 15, and 18 shall contain, so far as may be possible, the particulars given in the forms contained in Schedule I (Forms 2 to 7).

Board's Instructions.

Notices received by the Collector from the Registering Officers or from the Civil Courts will be accompanied by *chalans* (either the originals or the duplicates), and when issuing notices to the landlords, the Collector should see that they always bear the number of the Treasury *chalan* with which the fees are deposited.

Manner of service.

25. (*a*) Where there is a sole landlord, or where two or more persons are joint-landlords, and have a common agent such as is referred to in section 188, or a common manager appointed under section 95, the notices shall be served on such sole landlord or his agent, or on such common agent or manager, as the case may be.

(*b*) Where there is more than one landlord, and no common agent or manager has been appointed, a notice shall be served on each joint-landlord.

Posting of notice.

26. In each case under the preceding rule the notice shall be forwarded by post, in a letter registered under Chapter VI of the Indian Post Office Act, 1898 (VI of 1898), and an acknowledgment obtained.

Transmission of landlord's fee by money-order.

27. In the cases mentioned in rule 25 (*a*), the landlord's fee shall be transmitted by money-order to the sole landlord or his agent, or to the common agent or manager, as the case may be, at the time when the notice is issued. The coupon attached to the money order shall contain, so far as may be possible, the particulars given in the forms contained in Schedule I.

Deposit of fee, where there is refusal or no application.

28. If, in cases where the amount of landlord's fee is transmitted by money-order, the sole landlord or his agent or the common agent or manager refuses to accept payment thereof, and, in all other cases, where no application is made for payment of the landlord's fee, the amount shall be kept in deposit in the Collector's office for three years from the date of the service of the notice, and on the expiry of that time it shall be forfeited to the Government.

Board's Instructions.

Instead of making separate application for refund in the case of a cash deposit, the landlord, when there is more than one deposit relating to the same month, may in one petition apply for payment of items up to the limit of twenty.

The petition should, however, bear the Court-fee stamp* that would have been levied for as many separate applications as the number of items covered by the single petition.

The landlord is required to file, with the application for refund, the notices served upon him by the Collector appertaining to the items to be refunded.

Verification of payment.

29. The Collector or any other officer who signs the order for the notice to be served shall satisfy himself that the landlord's fee and other fees and charges realised in cash have been paid into the treasury.

Filing and service of agreements under section 46(2).

30. *Section 46 (2).*—The agreement under sub-section (2) of section 46 shall be filed in the Court having jurisdiction to entertain a suit for arrears of rent of the holding, and shall be served on the raiyat in the manner prescribed for the service of summons on defendant under the Code of Civil Procedure on payment of the fee prescribed by the High Court.

Filing and service of notice under section 46 (4).

31. *Section 46 (4).*—The notice under sub-section (4) of section 46 shall be filed in the Court having, jurisdiction to

* Applications or claims for the refund of landlord's fees held in deposit are liable to court-fee, under both clauses (*a*) and (*b*) of Article I of Schedule II of the Court-fees Act, of one anna when the amount claimed is less than Rs. 50 and of eight annas in other cases. When, however, the amount claimed does not exceed Rs. 25, and the application is made within three months of the date of the deposit under Government of India's Notification No. 849, dated the 16th February 1883, published on page 122 of the *Gazette of India* of the 17th idem, no court-fee is required—*vide* Board's Circular Order No. 2 of June 1894.

entertain a suit for arrears of rent of the holding and shall be served on the landlord in the manner prescribed for the service of a summons on a defendant under the Code of Civil Procedure on payment of the process-fee prescribed by the High Court.

Service of notice of receipt of deposit in cases (*a*), (*b*) and (*d*) of section 61.

32. *Section 63 (2).*—In cases (*a*),(*b*) and (*d*) of section 61 referred to in sub-section (2) of section 63, the notice of the receipt of the deposit shall be served by forwarding the notice by post in a letter registered under Chapter VI of the Indian Post Office Act, 1898 (VI of 1898), or, where the Court may deem it necessary, in the manner prescribed for the service of a summons on a defendant under the Code of Civil Procedure.

Publication of general notice under section 72 (2)

33. *Section 72 (2).*—The general notice referred to in sub-section (2) of section 72 may be published by the transferee by fixing up a written notice to the tenants in the village office or in the presence of not less than two persons in some conspicuous place on the lands and, by proclaiming to the tenants by beat of drum, in every village to which the transfer extends, that the interest of the former landlord has passed to the transferee. The transferee may, if he thinks fit, apply for service of the notice to the Court having jurisdiction to entertain a suit for arrears of rent of the holding, and the Court shall thereupon serve the notice as hereinbefore prescribed on payment of the process-fee prescribed by the High Court.

Notice under section 73.

34. *Section 73.*—Notice under section 73 shall be in writing and shall be delivered to the landlord or his agent, or, where two or more persons are joint-landlords, to their common agent referred to in section 188, or to their common manager appointed under section 95, as the case may be, at the landlord's village office, or at such other convenient place as may be appointed by the landlord for the payment of rent under sub-section (2) of section 54. When there are two or more joint landlords without a common agent or manager the notice shall be served at the village office of the principal co-sharer or at such other places as may be appointed by each of the landlords for payments of rent under sub-section (2) of section 54.

Service of such notice through Civil Court.

35. The raiyat may, if he thinks fit, cause the notice to be served through the Civil Court having jurisdiction to entertain a suit for arrears of rent of the holding in the manner prescribed for the service of a summons on a defendent under the Code of Civil Procedure on payment of the process-fee prescribed by the High Court.

Notice by raiyat of intention to surrender.

36. *Section 86 (2) and (4).*—If the raiyat elects to proceed under sub-section (2) of section 86, he may personally serve a written notice of his intention to surrender on his landlord; but if he elects to proceed under sub-section (4) of the said section, the notice of the raiyat's intention to surrender shall be served on the landlord in the manner prescribed for the service of a summons on a defendent under the Code of Civil Procedure on payment of the process-fee prescribed by the High Court.

Notice by tenant of intention to abandon.

37. *Section 87.*—A notice of the tenant's abandonment of his holding under sub-section (2) of section 87 shall be in the form (Form 8) contained in Schedule I, and shall be submitted in duplicate. One copy shall be published by beat of drum upon the holding alleged to be abandoned, and then kept in the record, and the other copy shall be affixed, in the presence of not less than two witnesses, to some dwelling-house, or tree, or other conspicuous object upon the holding. The fee payable by the landlord shall be Re. 1.

Notice to tenant under section 155.

38. *Section 155.*—Notice to the tenant under section 155 shall be filed in the Court having jurisdiction to entertain a suit for arrears of rent of the holding, and shall be served in the manner prescribed for the service of a summons on a defendant under the Code of Civil Procedure on payment of the fee prescribed by the High Court.

Particulars to be contained in requisition by Civil Court for copies of extract of record-of-rights.

39. Every requisition from the Civil Court to the Collector for certified copies of, or extracts from, the record-of-rights shall, so far as may be possible, contain the particulars specified in the form (Form 9) in Schedule I. The copy or extract shall be certified to be correct by such officer as may be appointed by the Collector for the purpose.

CHAPTER VI.

THE PROCEDURE TO BE FOLLOWED BY REVENUE-OFFICERS IN REGARD TO THE RECORD-OF-RIGHTS AND SETTLEMENT.

Powers vested on Settlement and Assistant Settlement Officers.

40. (*a*) Every Revenue-officer appointed by the Local Government under the designation of "Settlement Officer" or "Assistant Settlement Officer" for the purpose of making surveys, records-of-right, settlement of rents, determination of proprietor's private lands and such like proceedings, or any one or more of them, under the Bengal Tenancy Act, 1885, is hereby vested with—

(*i*) all the powers exercisable by a Civil Court in the trial of suits;

(*ii*) powers to enter upon any land and to survey, demarcate and make a map of the same;

(*iii*) all the powers of an Assistant Superintendent of Survey and a Deputy Collector under the Bengal Survey Act, 1875; and

(*iv*) power to cut and thresh the crops on any land and weigh the produce with a view to estimating the capabilities of the soil.

(*b*) A Revenue-officer who, under the designation of "Settlement Officer," has been appointed by the Local Government for the purpose of making a survey and record-of-rights and settlement of rents under Chapter X of the Bengal Tenancy Act, 1885, shall have power, by general or special order, to make over for disposal to any officer subordinate to him (who has been duly empowered, under the designation of Assistant Settlement Officer, to act as a Revenue-officer under the provisions of the same Chapter of the same Act),—

(*i*) objections preferred under section 103A,

(*ii*) the statement of fair rents (including the preparation of a table of rates),

(*iii*) the preparation of a settlement rent-roll under Chapter X, Part II, of the Act in any area.

(*iv*) applications for the settlement of fair rents under section 105,

(*v*) suits instituted for the trial of disputes under section 106, and

(*vi*) applications for the commutation of rents under section 49.

(*c*) A Revenue-officer so appointed under the designation of Settlement Officer shall, on the application of any person interested and after giving notice to other persons interested, and hearing any objections preferred or of his own motion without giving such notice, have power to withdraw from the file of any Assistant Settlement Officer subordinate to him, any of the matters specified in rule 40(*b*) above, and to dispose of them himself, or to transfer them for disposal to any other Assistant Settlement Officer subordinate to him who has been duly empowered to act as a Revenue-officer.

(*d*) On the application of either party to a suit under section 106, after giving notice to the other party and hearing any objections preferred, or of his own motion without giving such notice, a Revenue-officer so appointed under the designation of Settlement Officer may transfer to such competent Civil Court as the District Judge may designate the trial of a suit or of any class of suits instituted for the decision of a dispute or disputes which involve important and complicated questions of right and title or claims to be put in possession.

(*e*) In the case of an uninhabited village, any general notice to be served or publication to be made under the rules in this Chapter may be served or made in any inhabited village contiguous to that village, or if there be no inhabited village contiguous to that village, in the inhabited village nearest to that village or in the village in which the tenants and occupants of the lands of the uninhabited village are believed by the Revenue-officer to reside.

Powers vested in Deputy Superintendents of Survey and Assistant Superintendents of Survey.

41. Deputy Superintendents of Survey and Assistant Superintendents of Survey employed in operations under these rules are hereby declared to be Revenue-officers for the purpose of performing any duty imposed upon them by these rules, or by instructions consistent with these rules, issued by the Board of Revenue. They are hereby vested with the powers specified in section 189 (1) (*b*), provided that an Assistant Superintendent shall not exercise the powers vested in a Superintendent under the Bengal Survey Act, 1875 (Ben. Act V of 1875)

Procedure for Cadastral Survey, Records-of-rights and Settlements of Rents.

Procedure for survey, record-of-rights and settlement of rents.

42. The processes shall be—

A.—Demarcation of boundaries.

B.—Measurement.

C.—Khanapuri, *i. e.*, preliminary preparation of the record.

D.—Attestation of the record.

E.—Publication of the draft record.

F. Disposal of objections under section 103A.

G.—Settlement of fair rents in cases in which a settlement of revenue is being, or is about to be made.

H.—Final publication of the record-of-rights.

I.—Distribution of copies of the record-of-rights to parties interested.

J. —The settlement of fair rents on the application of the parties under section 105, and the trial of suits for the decision of disputes under section 106 in cases in which a settlement of revenue is not being or is not about to be made.

K.—Correction of *bonâ fide* omissions or mistakes in the record-of-rights.

A.—Demarcation of Boundaries.

Demarcation of village boundaries, and determination of the unit of survey and record-of-rights.

43. (*a*) In the demarcation of village boundaries, the area contained within the exterior boundaries of the village maps of the revenue survey shall be preserved, as far as possible, as the unit of survey and record.

(*b*) Where there is no dispute, the boundary of the village according to possession shall be followed for the purposes of map and record.

(*c*) Where there is a dispute as to a village boundary, the Revenue-officer shall decide the dispute under the Bengal Survey Act, 1875 (Ben. Act V of 1875).

(*d*) Where the Settlement Officer is of opinion that the village maps prepared at the Revenue Survey are not suitable as the unit of survey and record, he shall issue notice of the inquiry to all parties concerned in the manner prescribed, and after such local inquiry in the presence of the parties as he may consider necessary, shall determine the area to be included in the village. He shall then submit his proceedings to the Board through such superior authorities as the Board may prescribe; and such area as the Board may, after such further inquiry as may be deemed necessary, declare to be included in a village shall be adopted as the unit of survey and record-of-rights:

Board's Instructions.

The Settlement Officer's report should be submitted through the Collector of the district to the Director of Land Records, Bengal, who will forward through the Commissioner of the Division to the Board. The Collector should report in each case whether the proposed change would be suitable for administrative purposes.

Provided that in all cases where the Revenue Survey village is not adopted as the unit of survey, the Settlement Officer shall draw up a statement, in such form as the Board may prescribe, showing the areas adopted as the unit of survey as compared with

the areas contained in the village maps of the Revenue Survey; and such statement shall be filed in the Collector's Office.

Board's Instructions.

The following form is prescribed by the Board.—
Name of Thana .

According to Revenue Survey of 18 .			Villages adopted under Rule 43 (*d*).				
Name of mauza.	Revenue Survey number.	Area in acres according to Revenue Survey.	Name of village.	Thana Number.	Names in tolas comprised in village.	Area in acres.	Remarks.
1	2	3	4	5	6	7	8

(*e*) Where no Revenue Survey maps have been prepared, the Revenue-officer appointed under the designation of Settlement Officer shall issue notice to all parties concerned in the manner prescribed, and after such local inquiry in the presence of the parties as he may consider necessary, shall determine the area to be included in the village. He shall then submit his proceedings to the Collector, and such area as the Collector, after such further inquiry as he deems necessary, and with the sanction of the Board of Revenue, by general or special order, declares to constitute a village shall be adopted as the unit of survey and record-of-rights.

(*f*) In cases where the procedure prescribed in sub-clauses (*d*) and (*e*) have been adopted, the Board of Revenue shall submit a report to Government for issue of the notification prescribed by section 3 (10) (*b*) of the Bengal Tenancy Act.

(*g*) The notice under rule 43 (*d*) and (*e*) of the inquiry to be held shall be given by proclamation and beat of drum and by posting it, in the presence of not less than two persons in some convenient place or places in the lands to which it refers.

Erection of boundary pillars.

44. Boundary pillars of a permanent nature shall be erected at every point where the boundaries of three or more villages meet, and may be erected wherever the Revenue-officer considers it necessary to define by pillars the boundaries of estates or tenures or of lands which have been the subject of dispute.

B.—Measurements.

Field maps.

45. A field map of every village shall be prepared. It shall show the boundaries of every field separately held, or of such plot of land as the instructions of the Board of Revenue for giving effect to these rules may lay down.

Board's Instructions.

The instructions of the Board are contained in rule 30, Chapter 6, Part II, of the Survey and Settlement Manual, 1900.

C.—Khanapuri, i.e., *Preliminary Preparation of the Record.*

Documents to be prepared in course of survey and preparation of record-of-rights.

46. The following are the principal documents to be prepared in the course of a survey and the preparation of a record-of-rights under Chapter X of the Bengal Tenancy Act, 1885 :—

Village map.	Khewat.
Khasra.	Khatian.
Parcha.	Terij.

These and any other papers prescribed by the Board of Revenue shall be prepared in such manner as the Board may prescribe.

Board's Instructions.

General instructions have been given in Part II of the Survey and Settlement Manual, 1900, but special instructions in particular settlements may be issued with the approval of the Board.

47. The record-of-rights, which shall be published under section 103A of the Bengal Tenancy Act, 1885, shall be contained in the khewat and the khatian and such other papers as may be specified by general or special order of the Board of Revenue in the case of any local area. Record-of-right's.

48. (*a*) The proprietary khewat shall show the character and extent of proprietary interests. It shall be first drawn up with refefeuce to the registers maintained by the Collector under the provisions of the Land Registration Act, 1876 (Ben. Act VII of 1876). As the record-writing proceeds, the proprietary khewat shall be altered in accordance with the facts of possession. The Settlement Officer shall, from time to time, under such instructions as the Board of Revenue may prescribe in this behalf, give information to the Collector of all alterations made in the khewat, and the Collector shall thereupon take action to make such corrections as may be necessary in his registers prepared under the Land Registration Act. If the Collector, after inquiry under the Land Registration Act, finds that any entry in the khewat is incorrect, a note shall be made in the khewat of his finding. Proprietary khewa'

Board's Instructions.

The instructions have been incorporated in ~~rule 19 of Chapter 8, Part II, of the Survey and Settlement Manual, 1900.~~

(*b*) A khewat shall ordinarily be prepared to show the character and extent of the interest of tenure-holders, such of their interests as are of a raiyati nature being also recorded in the khatian.

49. (*a*) The khatian shall show in detail for all the lands or the village, estate by estate, landlord by landlord, tenant by tenant, and occupant by occupant the lands included in each estate owned by each landlord and occupied by each tenant or occupant, with particulars of rent and area and of the incidents of each tenancy. Khatian.

(*b*) Lands cultivated or otherwise held direct by the proprietor shall be shown in detail in the khatian, and shall be entered either as proprietor's private land within the meaning of section 120 of the Bengal Tenancy Act or as land held by the proprietor, but not private land, within the meaning of that section.

D.—Attestation of the Record.

50. (*a*) When the map, khasra, khewat, and khatian for a village have been prepared in the manner prescribed by these rules and by instructions of the Board of Revenue consistent with them, the Revenue-officer shall issue a notification in the form (Form 10) given in Schedule I fixing a day which shall be not less than a week from the date of publication of the notification, on which he will be present at some place to be specified at or near the village, for the purpose of attesting and completing the record-of-rights. Attestation.

Board's Instructions

The usual practice should be to allow one month's interval between the date of issue of the notification and the commencement of attestation.

(*b*) The notification shall further state that on the day so fixed, or on any other day to which the proceedings may be adjourned, the Revenue-officer will record rents and status and deal with objections relating to entries in the record or omissions therefrom; and it shall require all parties interested in the subject-matter of the inquiry to attend at the time and place specified, with their *parchas*, and with such evidence as they have to offer in connection with the proceedings.

(*c*) Such notification shall be published by proclamation and beat of drum, and fixed up, in the presence of not less than two persons, in some conspicuous place in the village to which it refers.

51. The Revenue-officer may also, if he deem fit, take such additional measures under the powers conferred on him by rule 40, as he may deem desirable to procure the attendance, at the place specified in the notification issued under the Measures to procure attendance of parties.

last preceding rule, of the occupants, under-raiyats, raiyats, tenure-holders, landlords and proprietors, or their authorised agents.

Inquiry as to correctness of entries.

52. On the date specified in the notification issued under rule 50, or on any other date to which the proceedings may be adjourned, the entries which have been made in the khewat and in each khatian shall be read out in the presence of such of the interested parties as are in attendance.

If the correctness of any entry is questioned, the Revenue-officer shall dispose of the objection after local inquiry or otherwise:

Provided that if the correctness of the measurement be objected to, and a fresh measurement be demanded, the Revenue-officer may require the cost of the re-measurement to be deposited.

If the measurement shows the original measurement to have been inaccurate, the amount deposited, or any portion of it, may, if the Revenue-officer thinks fit, be refunded to the objector.

Inquiry as to fixed rates or fixed rents.

53. The Revenue-officer shall ascertain what tenants claim the right to hold at fixed rates or fixed rents, explaining, as far as may be necessary, the provisions of the Bengal Tenancy Act, 1885, in this respect. If the right claimed is disputed by the landlord, the Revenue-officer shall call on the claimants for proofs of such right. It is sufficient for the claimant to establish the presumption mentioned in section 50 (2), and if that presumption be not rebutted by the landlord, the claimant shall be recorded as a raiyat at fixed rates of rent, or a fixed rent, as the case may be.

Inquiry as to settled and occupancy raiyats.

54 The Revenue-officer shall ascertain which of the raiyats are settled raiyats, or occupancy raiyats, as the case may be, and shall record them as such, having regard to the presumption of section 20 (7) of the Bengal Tenancy Act, 1885.

Inquiry as to non-occupancy raiyats

55. The Revenue-officer shall ascertain what raiyats are non-occupancy, and to this end he shall be entitled to call upon the landlord or his agent to produce a statement showing the names of the raiyats alleged by him to be non-occupancy raiyats. On the production of such statement, the Revenue-officer shall explain to the raiyats whose names are entered in the statement, and who have not already been recorded as occupancy or settled raiyats, the nature of the presumption raised by section 20 (7) of the Bengal Tenancy Act, 1885. If, after such explanation, a raiyat admits himself to be a non-occupancy raiyat, he shall be recorded as such. If he does not admit himself to be a non-occupancy raiyat, the Revenue-officer shall call on the landlord to prove the allegation made by him in regard to such raiyat.

Abwabs and cesses.

56. Abwabs shall not be recorded. Cesses which are authorized by law shall be recorded separately from the rent in the khatian, or, in the case of tenure-holders, in the khewat.

Ascertainment and record of rent at present payable.

57. The Revenue-officer shall summarily ascertain the rent at present payable by the tenant, and record it in the appropriate column of the khatian as the rent payable in respect of the land held by the tenant.

Agreement between landlord and tenant as to rent to be recorded.

58 If while the record is being prepared, the landlord and tenant agree as to the rent, which shall be recorded as payable, the Revenue-officer, if he has been vested with powers under section 109C of the Bengal Tenancy Act, 1885, as amended by Bengal Act 1 of 1907, may, if he is satisfied that the rent agreed upon is fair and equitable, but not otherwise, settle such rent as a fair and equitable rent, although the terms of the agreement are such that, if they were embodied in a contract, they could not be enforced under the Bengal Tenancy Act.

Procedure where Revenue-officer not vested with powers under section 109C

59. If the Revenue-officer has not been vested with powers under section 109C, he may, if he considers that the provisions of that section should be applied in respect of the rent of any tenure or holding, submit a report to any Revenue-officer who has been vested with powers under section 109C in the local area for which the record-of-rights is being prepared: and such Revenue-officer, after giving notice to the landlord and tenant, and after such further inquiry as he may deem necessary, may, if he is satisfied that the rent agreed upon by the landlord and tenant is fair and equitable, but not otherwise, settle such rent as a fair and equitable rent, although the terms of the agreement are such that, if they were embodied in a contract, they could not be enforced under the Bengal Tenancy Act.

Form of proceedings and entry of rents settled or revised.

60. Proceedings for the settlement of rents under section 109C shall be drawn up in such form as the Board of Revenue may prescribe; and all rents settled under clause (*1*), section 109C, or revised by the Board of Revenue under clause (*3*), section 109C, shall be entered in the record-of-rights.

Board's Instructions.

The proceeding shall give a brief account of the circumstances of the case and of the grounds on which the Revenue-officer accepts the agreement and considers the settled rent as fair and equitable. To the proceeding will be annexed a schedule in the following form on which the signatures of the parties or their authorized agents or their competent representatives will be taken. The schedule should also be signed by the Revenue-officer :—

SCHEDULE OF RENTS SETTLED UNDER SECTION 109C OF THE BENGAL TENANCY ACT.

In the Court of ..... of ..... District .....
Name of village ..... Thana ..... Thana No. .....
Khewat No. ..... Name of landlord .....

Khatian number.	Name of tenant.	Existing rent.			Settled rent.	Signature of landlord or authorized agent.	Signature of tenant or competent representative	Date of entry in record-of-rights.	Initial of Revenue-officer.
		According to landlord.	According to tenant.	As ascertained by Revenue-officer.					
1	2	3	4	5	6	7	8	9	10

Proceeding on completion of attestation and publication of draft record.

61. When the record-of-rights has been prepared and attested in the manner prescribed in rules 50 to 57, and when the record shall have been arranged and corrected in accordance with the orders which the Revenue-officer may have passed, he shall record a proceeding in which he shall state that attestation of the records of the village has been completed, and shall then cause the draft record-of-rights to be published in the village in the manner provided in rule 62.

E.—Publication of the Draft Record.

Publication of draft record and hearing of objections.

62. (*a*) As soon as the record-of-rights has been prepared and attested, a notice in Form 11 in Schedule I shall be posted up at the landlord's office in the village, and, in the presence of not less than two persons, in some other conspicuous place in the village, or, where the village is uninhabited, in the village in which most of the cultivators of the uninhabited village reside, stating that the draft of the record will be published in the village on a day to be specified, not less than a week from the date of the posting of such notice, and calling on all persons interested to attend on the date so specified :

Provided that the draft of the record shall not be published until the proceeding under rule 61 has been recorded.

(*b*) ~~On the date fixed for the publication of the draft record~~, the Revenue-officer shall either proceed to the village himself and read the contents of the record in the presence of the parties who attend, or he shall depute an officer who shall read out the contents of the record in the presence of as many of the parties as attend, and the Revenue-officer or the officer deputed by him, as the case may be, shall at the same time inform the parties who attend that the draft record will be open for inspection for not less than one month in the office of the Revenue-officer, or in such other convenient place as the Revenue-officer may determine.

Any objection which may be made to any entry during the period named shall be received and considered by the Revenue-officer.

Objections shall, as far as practicable, be made in Form 12 given in Schedule I.

Board's Instructions.

In the case of large settlements, or when a large estate is concerned, the Revenue-officer shall ordinarily allow the draft record to remain open to inspection for a longer period than one month, and should receive and consider objections preferred within such period.

F.—Disposal of objections under section 103A.

63. When an objection is made within and before the expiry of the period of publication of the draft record prescribed under rule 62 (*b*) regarding the correctness of an entry, or as to the propriety of any omission, notice of the objection (in Form 13, Schedule I) shall be served on all persons whose interest may, in the opinion of the Revenue-officer, be affected thereby, and they shall be called upon to attend at such time and place as the Revenue-officer may fix for the disposal of the objection.

If no person attends to contest the objection, and the Revenue-officer is satisfied that the notice of the objection has been duly served on all persons interested, the objection may be allowed and the record amended accordingly, or the person who made the objection may, if the Revenue-officer thinks fit, be called upon to produce evidence in support of his objection.

All such objections shall be dealt with summarily under such instructions as the Board of Revenue may prescribe.

Board's Instructions.

These instructions are contained in rule 2 of Chapter 5, Part III, of the Survey and Settlement Manual, 1900.

G.—Settlement of Fair Rents in cases in which a Settlement of Revenue is being, or is about to be, made.

Report to Government where it is not necessary to settle rents of all classes of tenants in a Government Estate.

64. If it does not appear to the Revenue-officer expedient to settle the rents of tenants of every class in an estate or tenure belonging to the Government, the Revenue-officer shall submit a report for the orders of the Government under the proviso to section 104 of the Bengal Tenancy Act, 1885, as amended by Bengal Act I of 1907.

Service of notice of settlement of rents.

65. In the case of a settlement of fair rents under Part II of Chapter X of the Bengal Tenancy Act, 1885, when a settlement of revenue is being, or is about to be, made, the Revenue-officer shall serve a notice by proclamation and beat of drum, and by posting it, in the presence of not less than two persons, in some conspicuous place in the village comprising the lands under settlement.

The notice shall be in Form 14 in Schedule I and shall set forth that on a date named and at a place named, the Revenue-officer will settle fair rents in respect of all estates, tenures or holdings, and for unsettled lands included in such village. A schedule may, when the Revenue-officer thinks fit, be appended to the notice, giving such particulars as he may think necessary relating to the names and numbers of all estates, tenures, and holdings paying revenue or rent to Government, and of unsettled lands for which rent will be settled. Such notice shall be served at least one week previous to the date fixed for settlement of fair rents. When such notice has been served, it shall be held that all persons have, subject to the provisions of rule 73, been sufficiently warned of the date fixed:

Provided that in cases in which a table of rates is prepared under the provisions of section 104B, the notice shall not be published until the table of rates has been confirmed under sub-section (*5*) of that section.

Table of rates where necessary.

66. A table of rates shall not ordinarily be prepared when it is found that the tenants of the local area in question hold their lands at lump rentals, and no rates actually exist, or when the rates are so numerous and varied, and are so little dependent on the class of soil, that no table of existing rates can be prepared. When the above conditions do not obtain, and it is possible to prepare a table of existing rates which are generally of a uniform

character and in accordance with certain ascertainable classes of soil, a table of rates may be prepared in accordance with the provisions of section 104A (*c*):

Provided that when the Revenue-officer is of opinion, for reasons to be recorded by him in writing, and submitted to, and approved by, the authority empowered to confirm the table of rates, that the rents stated as the existing rents by the landlord and tenants are not the rents that are legally payable, and that it is impossible to ascertain those rents, a table of rates fairly and equitably payable may be prepared and shall be based on the rates or rents payable in those neighbouring villages, the lands of which are fairly comparable with the lands of the village.

Preparation of table of rates.

67. When the Revenue-officer has decided to settle rents in any local area on the basis of a table of rates, under section 104A (*c*), he shall first prepare a table of existing rates and shall then either maintain those rates or shall proceed to enhance or reduce them, having regard to the general principles laid down in the Bengal Tenancy Act, 1885, for the enhancement or reduction of rents and especially to section 30 (*b*), (*c*) and (*d*).

Contents of table of rates.

68. The table of rates finally prepared by the Revenue-officer and published by him under section 104B (*2*), shall contain the particulars noted in section 104B (*1*) and shall show—

(*a*) the classes of land, as locally known, that have been adopted in the fixation of rates;

(*b*) the area, expressed in local measure, for which each rate is fixed;

(*c*) the existing rates, if any, taken as the basis of the table of rates; and

(*d*) the rates fixed as fairly and equitably payable for that area of land of each class of land for each class of tenant whose rent is liable to alteration.

Publication of table of rates.

69 (*a*) When a table of rates has been prepared under section 104B, a notice in Form 15 in Schedule I shall be posted up in the landlord's office in the village or in the presence of not less than two persons in some conspicuous place in the village, stating that the table of rates will be published in the village on a day to be specified, not less than a week from the date of the posting of such notice, and calling on all persons interested to attend on the date so specified.

(*b*) On the date fixed for the publication of the table of rates, the Revenue-officer shall proceed to the village and shall explain to so many of the parties as attend the proposed rates and the grounds on which they are based, and shall hear and consider any objections that may be raised to any entries in the table. He shall at the same time inform the parties who attend that the table of rates will be open to inspection for not less than one month in the office of the Revenue-officer, or in such other convenient place as the Revenue-officer may determine, and that any person who objects to any entry in the table of rates may present a petition to him on the subject, within one month of the date of the publication of the table of rates, which will be duly considered under section 104B (*3*).

Record of grounds of order.

70. The Revenue-officer shall record the grounds of his final order in every case in which he disposes of an objection to a table of rates under section 104B (*4*).

Submission of proceedings to confirming authority.

71. In submitting his proceedings to the confirming authority under section 104B (*4*), the Revenue-officer shall describe the land classification adopted by him for for the purposes of his table of rates, and shall show in tabular form the rates which were found by him to exist for the classes of land described, and the rates he proposes to substitute for the existing rates, explaining in each case his grounds for maintaining, enhancing or reducing the rates.

Confirming authorities.

72. (*a*) The following Revenue authorities are empowered, under section 104B (*4*), to confirm tables of rates prepared under the Bengal Tenancy Act:—

(*i*) when the total rents to which the table of rates is to be applied will not, in the opinion of the Revenue-officer, exceed Rs. 1,000, the Collector of the district;

(*ii*) when the total rents in question will, in the opinion of the Revenue-officer, exceed Rs. 1,000, but will not exceed Rs. 5,000, the Commissioner of the Division; and

(*iii*) when the total rents in question will, in the opinion of the Revenue-officer, exceed Rs. 5,000, the Board of Revenue.

(*b*) The following Revenue authorities are empowered, under section 104B (*4*), to confirm settlement rent-rolls prepared under the Bengal Tenancy Act:—

(*i*) in all cases in which the settlement rent-roll has been prepared by an Assistant Settlement Officer, and the Settlement Officer is of the rank of a Collector, the Settlement Officer; and

(*ii*) in all other cases the Collector or other Revenue authority to whom the Settlement Officer is declared by the Board of Revenue to be immediately subordinate.

Settlement of fair rents.

73. On the date fixed in the notice issued under rule 65 above, or on any subsequent date to which the proceedings may be adjourned, the Revenue-officer shall read, or cause to be read aloud in his presence, the name of each tenant whose rent has to be settled, the area of his tenancy and the existing rent, and shall proceed to settle a fair rent for every such tenant under the provisions of section 104A (*1*) (*a*), (*b*), (*d*) or section 104C:

Provided that when a Revenue-officer proposes to alter an existing rent, and the parties have not attended in compliance with the general notice prescribed in rule 65 above, the Revenue-officer shall serve each person interested with a special notice, and the fair rent shall not be settled in the absence of such person until after due service of such special notice has been proved.

Contents of settlement rent-roll.

74. The settlement rent-roll shall contain the particulars prescribed in section 104A (*2*), and the fair rent settled for each tenant shall be entered in it by the Revenue-officer himself at the time that such rent is settled.

Publication of settlement rent-roll and filing of objections.

75. As soon as the settlement rent-roll has been prepared, it shall be published by a notice in Form 16 in Schedule I in the manner prescribed for the publication of the draft record in rule 62, and the Revenue-officer or the officer deputed by him to read out the contents of the settlement rent-roll, as the case may be, shall at the same time inform the parties who attend that the settlement rent-roll will be open to inspection for not less than one month in the office of the Revenue-officer, or in such other convenient place as the Revenue-officer may determine, and that any person who objects to any entry in the settlement rent-roll or omission therefrom may present a petition to the Revenue-officer on the subject within one month of the date of the publication of the settlement rent-roll, which will be duly considered under section 104E.

Method of dealing with objections. Appeal.

76 All objections presented under rule 69 or rule 75 shall be dealt with in accordance with the provisions of rule 63 in the same way as objections presented under section 103A. An appeal presented under section 104G (*1*) shall lie to the officer to whom the Revenue-officer who has passed the order appealed against is immediately subordinate:

Provided that a second appeal shall lie from any order on appeal settling the amount of a fair rent passed by a Settlement Officer or Collector under this rule to the Commissioner of the Division, and that, when the proposed annual rental of any tenancy exceeds Rs. 100 *per annum*, a final appeal shall, in all such cases, lie to the Board of Revenue.

Incorporation of settlement rent-roll in record-of-rights.

77. As soon as the settlement rent-roll has been sanctioned by the confirming authority, it shall be incorporated in the record-of-rights by the entry of the fair rents settled in a column of the khatian to be set apart for that purpose.

Rules 65 to 77 to apply to a settlement of rents under section 112 of the Bengal Tenancy Act.

78. Rules 65 to 77 (both inclusive) shall apply, so far as may be, to a settlement of rents under section 112 of the Bengal Tenancy Act, 1885, as amended by Bengal Act I of 1907.

H.—Final publication of the Record-of-rights.

Final publication of record-of-rights.

79. When all objections under section 103A have been disposed of, as provided for in rule 63 above, and, in cases in

which a settlemant of revenue is being or is about to be made, the settlement rent-roll has been incorporated in the record-of-rights, as provided in rule 77, and the Revenue-officer has corrected the draft record in accordance with the orders passed by him on such objections or in the course of the preparation of the settlement rent-roll, he shall finally frame the record and cause it to be published by notifying, in the form shown in Form 17 in Schedule I, that its contents will be read out in the village, and, when the village is uninhabited, in the village in which most of the cultivators of the uninhabited village reside on a date to be specified, not less than a week from the date of the publication of such notice, and by reading it out himself or causing it to be read in the village on the date so specified, in the manner prescribed in rule 62, in the presence of the parties or of as many of them as attend.

Report to Local Government after final publication.

80. When all the record-of-rights in any local area have been finally published, the Revenue-officer shall submit a report to the Local Government, containing such particulars as may be necessary in order to enable the Local Government to issue a notification under sub-section (2) of section 103B of the Bengal Tenancy Act, 1885, as amended by Bengal Act I of 1907.

I.—Distribution of copies of the Record-of-rights to parties interested.

Distribution of copies of record-of-rights to parties interested.

81. (*a*) The Revenue-officer shall cause to be made a copy of, or extract from, the record-of-rights as finally published in accordance with rule 79, and this copy or extract shall bear a certificate, under the Revenue-officer's signature and seal, that it is a copy of, or extract from, the record-of-rights as finally published. The copy or extract shall be made over to the landlord concerned, or where there are more landlords than one, to their common agent or common manager, as the case may be, or if there be no common agent or common manager, to such person among the landlords as the Revenue-officer may think fit.

(*b*) The finally published record itself shall be made over to the Collector of the district, and shall bear a certificate that it is the finally published record, under the Revenue-officer's signature and seal.

(*c*) An extract from the record-of-rights as finally published under rule 79 relating to his tenancy shall be given to every tenant under the signature and seal of the Revenue-officer and shall bear a certificate that it is an extract from the record-of-rights as finally published.

(*d*) Copies of records, or of extracts from them, supplied to landlords and tenants under this rule shall be given free of or on payment according as in the case of each local area the Local Government may direct. When payment is required, the sums so recovered shall be adjusted against the expenses incurred on account of survey and settlement.

(*e*) If the Local Government so directs, copies of the maps shall be prepared and distributed to the landlords and tenants concerned, and in such a case the foregoing rules regarding copies of, or extracts from, the record shall apply to such copies of the maps.

J.—The settlement of Fair Rents on the application of the Parties under section 105, and the trial of suits for the decision of disputes under section 106 in cases in which a settlement of revenue is not being, or is not about, to be made.

Proceedings for settlement of fair rents.

82. When the landlord or tenant applies for the settlement of a fair rent, he shall be considered as plaintiff and the opposite party as defendant. The proceedings shall be dealt with as suits and, subject to the directions contained in rules 84 to 87 of this Chapter, the Revenue-officer shall adopt, as far as it is applicable, the procedure laid down in the Code of Civil Procedure for the trial of suits.

Record and settlement of rents in estates under management of Court of Wards or Manager appointed under section 95.

83. When the estate or tenure is managed by the Court of Wards or by a Manager appointed by the District Judge under section 95 of the Act and a settlement of revenue is not being, or is not about to be, made, the procedure laid down in these

rules for recording or settling rents shall be followed, the Manager of the estate or the tenure being regarded as the landlord.

Notice of application for settlement of fair rent.

84. When a landlord or tenant applies for the settlement of a fair rent, notice in Form 18 in Schedule I shall be served on every person interested in the application, together with a copy of the application, or extract therefrom, or summary thereof, so far as the application concerns such person.

Board's Instructions.

If only one person is interested in the application, a copy should be served on him; if more than one, an extract containing such particulars as concern him shall ordinarily be served upon each person. If a summary only is given, the Revenue-officer should satisfy himself that such summary contains all that is material for the parties interested to be informed of.

Joint application for settlement of rents in certain cases.

85. With the consent of the Revenue-officer, any number of tenants occupying land under the same landlord, whose interest is recorded in the same khewat entry in the same village, may make a joint application for the settlement of rents, or may be joined as defendants in the same proceeding on a similar application by the landlord:

Provided that, if at any time it appears to the Revenue-officer that the question between any two of the parties, of whom one is so joined with others, cannot conveniently be so jointly tried, he may order a separate trial to be held of that question, or he may pass such order, in accordance with the Code of Civil Procedure, for the joint or separate disposal of the application as he may think fit.

Inquiry and settlement of fair rents.

86. (*a*) On the date fixed for the settlement of fair rents, or any subsequent date to which the proceedings may be adjourned, the Revenue-officer shall read aloud, or cause to be read aloud in his presence, the name of each tenant whose rent has to be settled, the area of his tenancy, and the existing rent, and shall then proceed to settle a fair rent under the provisions of section 105.

(*b*) Where a landlord or tenant does not attend, after due service of notice has been proved, the procedure may be *ex parte*.

(*c*) Where a landlord or tenant appears and the fair rent is not settled under sub-section (*5*) or sub-section (*6*) of section 105, that is, by the acceptance by the parties of a rent proposed by the Revenue-officer, or compromise, the Revenue-officer shall record evidence in the manner prescribed in clause (*f*) of section 148 of the Bengal Tenancy Act, 1885, for the trial of rent-suits, and shall settle a fair and equitable rent according to law:

Provided that in important cases the Revenue-officer may, in his discretion, record evidence at length.

(*d*) When a fair rent has been settled under these rules, it shall be entered in the khatian as the rent payable in respect of the holding from the date prescribed by section 110.

Entry of fair rent to be held to be decree.

87. It shall not be necessary for a Revenue-officer to draw up a separate decree with regard to the fair rent settled; but the entry made in his decision or schedule attached thereto with regard to the fair rent settled shall be held to be a decree.

Manner of dealing with proceedings under sections 105A and 106.

88. Proceedings under sections 105A and 106 of the Bengal Tenancy Act, 1885, as amended by Bengal Act, I of 1907, shall be dealt with in all respects as suits between the parties.

K.—Correction of bonâ-fide *omissions or mistakes in the Record-of-rights.*

Applications for correction of errors.

89. Applications for the correction of *bonâ-fide* omissions or mistakes in the record-of-rights after its final publication under rule 79, where such applications bear on the body of them the admission of the party or parties affected, shall be received and dealt with in accordance with the provisions of section 108A. If the Revenue-officer receiving the application has not been specially empowered under that section, he shall forward the application, for disposal, with his report thereon, to the Revenue-officer so empowered. The Court-fee payable on such applications shall be eight annas.

Final Reports.

90. The Local Government may, if it thinks fit, direct that final report be written, in English, for each village and each local area under survey. Final report and particular thereof.

The report for the village shall show—

(*a*) the number of tenants of each class, with the area held and rental paid by them;
(*b*) the area and classification of the village lands;
(*c*) the rental before settlement, and according to settlement, and the number of fair rents settled, with explanation of increase or decrease;
(*d*) when settlement of land-revenue is being made, the amount of Government revenue, before and after re-settlement, grounds of assessment, and comparison of gross assets with new assessment;
(*e*) the rates of rent prevailing before settlement, and the rates settled, if any;
(*f*) proximity to markets, and facilities for irrigation;
(*g*) village customs, including customs as to payment of village officials;
(*h*) arrangements made for maintenance of records; and
(*i*) other matters deserving of notice which have been excluded from the record-of-rights.

The report for the whole area under survey shall contain the following particulars:—

(*i*) General description of the tract.
(*ii*) Its fiscal history.
(*iii*) Statistical results.
(*iv*) Comparison of condition of the tract as regards rentals before and after survey.
(*v*) Financial results, including approximate division, of expenses under the heads—
  (*a*) Survey,
  (*b*) Record-of-rights, and
  (*c*) Preparation and distribution of records.

Board's Instructions.

The Report should also show the custom regarding the transferability or otherwise of occupancy rights. Mention should also be made of any illegal *abwabs* which have been found to be in existence before the preparation of the record-of-rights, but which were struck off.

Applications under section 103 for Survey and Record-of-rights.

91. These applications shall be made to the Collector of the district. Applications under section 103 to be made to Collector.

92. The application shall specify— Particulars to be specified in such applications.

(*a*) the status of the applicant, viz., whether he is a proprietor or a tenure-holder;
(*b*) the particulars specified in section 102 of the Bengal Tenancy Act, in respect of which the application is made; and
(*c*) the number of tenants occupying the estate or tenure or part thereof in respect of which the application is made, the total rent payable by them at the time, and the estimated area covered by the application (so far as the applicant is able to give these particulars).

93. (*a*) If the application is made by a proprietor, it shall not be admitted unless the name of the applicant and the extent of his interest are registered under Bengal Act, VII of 1876. Further particulars in applications by proprietors and tenure-holders.

(*b*) If the application is made by a tenure-holder, it shall not be admitted unless the right of the tenure-holder and the extent of his interest is admitted by the superior landlord or is proved to the satisfaction of the Collector.

94. On receipt of the application, the Collector shall forward it to the Commissioner with any remarks which he may think necessary. Submission of application to Commissioner.

95. The Commissioner may call for further information or may require the application to be amended. Power of Commissioner to call for further particulars or amendment.

Procedure of Commissioner. Reference to Board.

96. If the Commissioner considers that the application cannot be granted with advantage to the interests of all persons concerned, he may reject it. If he approves it, he shall forward the application with an expression of his opinion for the orders of the Board of Revenue.

Record of reason for rejection of application. Appeal to Board.

97. A Commissioner rejecting an application shall record his reason for doing so, and the applicant, if dissatisfied with the order, may appeal within one month to the Board of Revenue.

Procedure and powers of Board.

98. When an application is referred to the Board under rule 96, or an appeal is preferred under rule 97, the Board may call for further information, if necessary, and shall pass such orders as it may think fit for allowing or rejecting the application.

Procedure of Collector where application allowed. Deposit of costs.

99. As soon as an application is allowed, the Collector shall call upon the applicant to deposit 8 annas *per* acre of the estimated extent of the estate or tenure or part thereof in respect of which the application has been allowed. If the Collector is unable to estimate the area, he shall require a deposit at the rate of Rs. 2 for each tenant. If the amount does not exceed Rs. 500, the applicant must deposit the whole amount in advance. If it exceeds Rs. 500, the applicant shall deposit the sum of Rs. 500 and shall give such security as the Collector may require for the payment of the balance of the deposit in such instalments as the Collector may from time to time demand.

If the amount deposited as above proves more than sufficient to cover the cost of the proceedings, the unexpended balance will be refunded on their termination.

If the amount deposited proves insufficient to cover the cost, the applicant shall, when required by the Collector, deposit from time to time such further sums as the Collector may think necessary for the completion of the proceedings. If he shall fail to do so, the proceedings may be stopped and the order allowing the application cancelled.

Board's Instructions.

The Collector should report such cases to the Commissioner, who will pass the final order cancelling the application.

Revenue-officer to follow rules framed for guidance of officers acting under section 101.

100. In conducting the operations, the Revenue-officer shall proceed in accordance with the rules for the guidance of officers acting under orders made under section 101.

CHAPTER VII.—General Scale of Fees.

Fees for service of notice.

101. *Service of Notices.*—For the service of every notice under this Act, not being a notice issued by any Revenue or Civil Court [fees for serving which are regulated by the Court-fees Act, 1870 (VII of 1870)], and not being provided for by any other rule made under this Act, a process-fee of 12 annas shall be levied, if the notice be directed to one or more persons residing in the same village.

Fees where notice directed to several persons in different villages.

102. Where such notices are directed to several persons resident in different villages, a fee of 12 annas shall be levied for service in each village.

Additional charges for railway, boat or ferry charges, etc.

103. In addition to the above fee, the actual charge which must be incurred, if it is necessary to travel by railway or boat, or cross ferries, shall be levied from and paid by the person at whose instance the process is issued before issue of the process. If a peon carries more than one process involving charges for railway-fare, boat-hire, etc., the sum leviable shall by charged, in equal shares, upon all the processes so carried. The rates at which such boat-hire is to be charged shall be the same as those fixed for criminal processes under Rule VII of the rules prescribed by the High Court under clause (2) of section 20 of Act VII of 1870, and shall be sufficient only to cover, on the whole, the actual cost of hiring boats, or of such boat establishment as it may be necessary to maintain for the purpose of serving processes of these classes.

Demurrage for detention of peon

104. If a peon is detained at the place of service for more than 24 hours at the request of the person at whose instance the process was issued, or of his agent, such person or agent shall then and there pay demurrage at the rate of 5 annas a day and obtain a receipt from the peon. Unless this demurrage is paid, the peon shall decline to wait. No demurrage shall be charged if the

delay was not due to the person requiring the process or to his agent.

Fees for deposits of rent.

105. *Deposits of Rent.*—For deposits of rent under section 61 (2), fees shall be levied according to the following scale :—

	Rs.	A.
On any sum not exceeding	... 5	... 1
On any sum exceeding but not exceeding	... 5 ... 10	... 2
On any sum exceeding but not exceeding	... 10 ... 25	... 4
On any sum exceeding	... 25	... 4

for each complete sum of Rs. 25, and 4 annas for the remainder, provided that, if the remainder does not exceed Rs. 10, the charge for it shall be only 2 annas:

Provided, also, that in no case shall the fee exceed the sum of Rs. 5.

Fees for processes for distraint.

106. *Distraint of Crops.*—The following scale of charges is prescribed on account of processes for distraint and sale under section 134:—

(*a*) in respect of the warrant of distraint—8 annas;

(*b*) in respect of each man necessary to effect the distraint and also to ensure safe custody, where such man is to be left in actual possession—4 annas a day; and

(*c*) in respect of action taken under clause (2), section 126, for the reaping, storing or preservation of the crop distrained—4 annas a day for every person employed, and in addition actual hire of threshing-floor or store-house, if necessary.

In addition to the charges under clauses (*a*), (*b*) and (*c*) above, railway-fare, boat-hire, and ferry charges may be levied, when necessary, as under rule 103.

SCHEDULE I.

(Board's Misc Form No 318A)

FORM 1.

APPLICATION UNDER SECTION 80 OF ACT VIII OF 1885

(See Rule 13.)

To

THE COLLECTOR OF

The application of , son of , resident of , for registration of an improvement under section 80 of the Bengal Tenancy Act, 1885 (VIII of 1885)

Name of parana and estate in which improvement has been effected.	Names of villages in which improvement effected	Nature of applicant's interest in land improved.	Nature of improvement.	By whom executed and at whose expense.	Cost of improvement.	When executed.	Names of all tenants benefited in each village.
1	2	3	4	5	6	7	8

A. B.,

Landlord.

Boar d's Misc. Form No. 319A.)

FORM 2.

NOTICE UNDER SECTIONS 12 AND 18 OF ACT VIII OF 1885.

(See Rule 24.)

(Where there is a single landlord or common agent or common manager.)

To

THE COLLECTOR OF

LET this notice be served on A. B., resident of , as required by section $\frac{12}{18}$ of Act VIII of 1885. The landlord's fee of Rs. , money-order fee of Rs. , and Rs. for serving the notice by post in a registered cover and obtaining an acknowledgment have been paid into the Treasury: chalan appended.

C. D.,

Registering Officer.

To

A. B., RESIDENT OF

TAKE notice that the transfer of the tenure [or raiyati holding at fixed rates (as the case may be)] specified below, of which you are alleged to be the landlord, has been registered, and that the landlord's fee of Rs. is being transmitted to you by postal money-order. If you fail to accept payment of the sum, it will be kept in deposit in the Collector's Office for three years from the date of the service of this notice. During this time, it will be paid to you or transferred to your revenue account on application. If it is not claimed by you within three years from the date of service of this notice, it will be forfeited to the Government.

Touzi number of estate	Name of estate.	Description of tenure or raiyati holding at fixed rates transferred, with village and pargana in which situated.	Annual rent of tenure or raiyati holding at fixed rates.	Name, father's name, and residence of transferrer of tenure or raiyati holding at fixed rates.	Name, father's name, and residence of transferee of tenure or raiyati holding at fixed rates.	Nature of transfer.	Date of registration of transfer.	Amount of landlord's fee.	REMARKS.
1	2	3	4	5	6	7	8	9	10
								Rs. A. P.	

C. D.,

Registering Officer.

ORDERED that this notice be served on the above-named landlord.

E. F.,

Collector.

REVERSE OF THE FORM.

Serial number of chalan.	Number of notice .	Name of depositor.	Name of person to whom to be served.	Details of cash receipts with amount.
1	2	3	4	5
				Rs A. P.

(Board's Misc. Form No. 319A.)

FORM 3.

NOTICE UNDER SECTIONS 12 AND 18 OF ACT VIII OF 1885.

(See Rule 24.)

(Where there is more than one landlord and no common agent or manager.)

To

THE COLLECTOR OF

LET this notice be served on A. B., etc., residents of , as required by section $\frac{12}{18}$ of Act VIII of 1885. A copy for each joint-landlord is herewith forwarded. The landlord's fee of Rs. , money-order fee of Rs. and Rs for serving the notice by post in a registered cover and obtaining an acknowledgment have been paid into the Treasury: chalan appended

C. D.,
Registering Officer.

To

A. B., &c., RESIDENTS OF

TAKE notice that the transfer of the tenancy which is alleged to be a tenure [or raiyati holding at fixed rates (as the case may be)] as specified below, of which you are stated to be a joint-landlord, has been registered, and that the landlord's fee of Rs. will be held in deposit in the Collector's office till applied for by you and your co-sharers, or some person authorized on your behalf to receive it. The amount stands to your credit and will be paid to you and your co-sharers or transferred to your revenue account on application; or it will be sent by money-order to any person to whom you and your co-sharers may jointly desire it to be sent. If the amount is not claimed by you within three years of the date of serving of this notice, it will be forfeited to the Government.

Touzi number of estate.	Name of estate.	Description of tenure or raiyati holding at fixed rates transferred, with village and pargana in which situated.	Annual rent of tenure or raiyati holding at fixed rates.	Name, father's name, and residence of transferrer of tenure or raiyati holding at fixed rates.	Name, father's name, and residence of transferee of tenure or raiyati holding at fixed rates.	Nature of transfer.	Date of registration of transfer.	Amount of landlord's fee.	REMARKS.
1	2	3	4	5	6	7	8	9	10
								Rs. A P.	

C. D.,
Registering Officer.

ORDERED that this notice be served on the above-named landlords.

E. F,
Collector.

REVERSE OF THE FORM.

Serial number of chalan.	Number of notices.	Name of depositor.	Names of persons to whom to be served.	Details of cash receipts with amount.
1	2	3	4	5
				Rs. A P.

(Board's Misc. Form No. 320)

FORM 4.

NOTICE UNDER SECTIONS 13 AND 18 OF ACT VIII OF 1885

(*See Rule 24.*)

(*Where there is a single landlord or common agent or common manager.*)

In the Court of the *of*

To

THE COLLECTOR OF

LET this notice be served on A. B, resident of as required by section $\frac{13}{18}$ of Act VIII of 1885. The landlord's fee of Rs. , money-order fee of Rs. and Rs. for serving the notice by post in a registered cover and obtaining an acknowledgment have been paid into the Treasury: chalan appended.

C. D,
Judge.

To

A. B., RESIDENT OF

TAKE notice that the sale of [or the decree or order absolute for the foreclosure of mortgage on (as the case may be)] the tenancy which is alleged to be a tenure (or raiyati holding at fixed rates) specified below, of which you are alleged to be the landlord, has been confirmed (or made) and that the landlord's fee of Rs. is being transmitted to you by postal money-order. If you fail to accept payment of the sum, it will be kept in deposit in the Collector's office for three years from the date of the service of this notice. During this time, it will be paid to you or transferred to your revenue account on application. If it is not claimed by you within three years from the date of service of this notice, it will be forfeited to the Government.

Tauzi number of estate.	Name of estate.	Description of tenure or raiyati holding at fixed rates transferred, with village and pargana in which situated.	Number of execution case and names of parties.	Name, father's name, and residence of person whose interest in the tenure or raiyati holding at fixed rates has been sold or foreclosed.	Name, father's name, and residence of purchaser of tenure or raiyati holding at fixed rates.	Date of confirmation of sale or the decree or order absolute for foreclosure.	Amount of landlord's fee.	REMARKS.
1	2	3	4	5	6	7	8	9
							Rs. A. P.	

C. D.,
Judge.

ORDERED that this notice be served on the above-named landlord.

E. F.,
Collector.

(Board's Misc. Form No. 320A.)

FORM 5.

NOTICE UNDER SECTIONS 18 AND 18 OF ACT VIII OF 1885.

(See Rule 24.)

(Where there is more than one landlord and no common agent or manager.)

In the Court of the *of*

To

THE COLLECTOR OF

LET this notice be served on A. B., etc, residents of as required by section $\frac{13}{18}$ of Act VIII of 1885. A copy for each joint landlord is herewith forwarded. The landlord's fee of Rs. , money-order fee of Rs. and Rs. for serving the notice by post in a register cover and obtaining an acknowledgment have been paid into the Treasury: chalan appended.

C. D.,
Judge.

To

A. B., ETC., RESIDENTS OF

TAKE notice that the sale of [or the decree or order absolute for the foreclosure of mortgage on (as the case may be)] the tenure (or raiyati holding at fixed rates) specified below, of which you are alleged to be a joint landlord, has been confirmed or made, and the landlord's fee of Rs. will be held in deposit in the Collector's office till applied for by you and your co-sharers, or some other person authorised on your behalf to receive it. The amount stands to your credit and will be paid to you and your co sharers or transferred to your revenue account on application; or it will be sent by money-order to any person to whom you and your co-sharers may jointly desire it to be sent. If the amount is not claimed by you within three years of the date of service of this notice, it will be forfeited to the Government.

Taluk number of estate.	Name of estate.	Description of tenure or raiyati holding at fixed rates transferred, with village and pargana in which situated.	Number of execution case and names of parties.	Name, father's name, and residence of person whose interest in the tenure or raiyati holding at fixed rates has been sold or foreclosed.	Name, father's name, and residence of purchaser of tenure or raiyati holding at fixed rates.	Date of confirmation of sale or the decree or order absolute for foreclosure.	Amount of landlord's fee.	REMARKS.
1	2	3	4	5	6	7	8	9
							Rs. A. P	

C. D.,
Judge.

ORDERED that this notice be served on the above-named landlords.

E. F.,
Collector.

(Board's Misc Form No 321)

FORM 6.

NOTICE UNDER SECTIONS 15 AND 18 OF ACT VIII OF 1885.

(See Rule 24.)

(Where there is a single landlord or common agent or common manager.)

To

THE COLLECTOR OF

BE pleased to cause this notice to be served on A. B., resident of The landlord's fee of Rs. , money-order fee of Rs. and Rs. for serving the notice by post in a registered cover and obtaining an acknowledgment are deposited herewith.

C. D.,

Tenure-holder or raiyat holding at fixed rates.

To

A. B., RESIDENT OF

TAKE notice that I have succeeded to the tenure [or raiyati holding at fixed rates (as the case may be)] specified below, of which you are the landlord and that the landlord's fee of Rs. is being transmitted to you by postal money-order. If you fail to accept payment of the sum, it will be kept in deposit in the Collector's office for three years from the date of the service of this notice. During this time, it will be paid to you or transferred to your revenue account on application. If it is not claimed by you within three years from the date of service of this notice, it will be forfeited to the Government.

Tauzi number of estate	Name of estate.	Description of tenure or raiyati holding at fixed rates succeeded to, with village and pargana in which situated.	Annual rent of tenure or raiyati holding at fixed rates.	Name, father's name, and residence of late tenure-holder or raiyat holding at fixed rates	Date, if known, of death of deceased tenure-holder or raiyat holding at fixed rates.	Name, father's name, and residence of successor to tenure or raiyati holding at fixed rates.	Nature of successor's title to succeed.	Amount of landlord's fee.	REMARKS.
1	2	3	4	5	6	7	8	9	10
			Rs					Rs A P.	

C. D.,

Resident of

ORDERED that this notice be served on the above-named A. B.

E. F.,

Collector.

(Board's Misc. Form No. 321A.)

FORM 7.

NOTICE UNDER SECTIONS 15 AND 18 OF ACT VIII OF 1885.

(See Rule 24.)

(Where there is more than one landlord and no common agent or manager.)

To

THE COLLECTOR OF

BE pleased to cause this notice to be served on A. B., etc., residents of . A copy for each joint landlord is herewith submitted The landlord's fee of Rs. , money-order fee of Rs. and Rs. for serving the notice by post in a registered cover and obtaining an acknowledgment are deposited herewith.

C. D.,
Tenure-holder or raiyat holding at fixed rates.

To

A. B., &c., RESIDENTS OF

TAKE notice that I have succeeded to the tenure [for raiyati holding at fixed rates (as the case may be)] specified below, of which you are a joint landlord. The landlord's fee of Rs. will be held in deposit in the Collector's office till applied for by you and your co-sharers or some other person authorized on your behalf to receive it. The amount stands to your credit and will be paid to you and your co-sharers or transferred to your revenue account on application; or it will be sent by money order to any person to whom you and your co-sharers may jointly desire it to be sent. If the amount is not claimed by you within three years of the date of service of this notice, it will be forfeited to the Government.

Touzi number of estate	Name of estate.	Description of tenure or raiyati holding at fixed rates succeeded to, with village and pargana in which situated.	Annual rent of tenure or raiyati holding at fixed rates.	Name, father's name, and residence of late tenure-holder or raiyat holding at fixed rates.	Date, if known, of death of deceased tenure-holder or raiyat holding at fixed rates.	Name, father's name, and residence of successor to tenure or raiyati holding at fixed rates	Nature of successor's title to succeed.	Amount of landlord's fee.	REMARKS.
1	2	3	4	5	6	7	8	9	10
			Rs.					Rs. A P.	

C. D,
Resident of

ORDERED that notice be served on the above-named A B.

E. F.,
Collector.

(Board's Misc. Form No. 321B.)

FORM 8.

NOTIFICATION UNDER SECTION 87 OF ACT VIII OF 1885.

(See Rule 37.)

To

THE COLLECTOR OF

WHEREAS the holding mentioned below, and hitherto held by C. D., resident of , has been abandoned by him without notice to me and without arranging for the payment of the rent thereof, I hereby notify that I have treated the holding as abandoned, and that I am about to re-enter upon it accordingly.

Dated

Landlord.

Schedule of Property.

Name of village and pargana in which situated	Area and boundaries of holding.	Rent of holding.
1	2	3

(Board's Misc Form No. 321C.)

FORM 9.

Requisition to Collector for a certified or certified copy of, or extracts from, the record-of-rights under section 148 (b1) of the Bengal Tenancy Act, 1885, as amended by Bengal Act I of 1907.

(See Rule 59.)

BE pleased to furnish to this Court on or before the a certified copy of, or extract from the record-of-rights relating to the undermentioned tenancy, which is required for reference in suit No. of

A. B.,

Judge.

Name of village.	Thana.	Thana number.	Tauzi number, and, if revenue-free, Register number	Name of landlord at the date of publication of the record-of-rights.	Name of tenant at the date of publication of the record-of-rights.	Number of khewat or khatian or reference to other document forming part of the record-of-rights of which copy or extract is required.	REMARKS.
1	2	3	4	5	6	7	8

THE copy required is sent herewith.

C. D.,

Collectorate, Record-keeper or other officer authorized to certify copies.

COPY received.

E. F,

Sarishtadar, Civil Court.

(Bengal Land Records Form No 30.)

FORM 10.

Notice of Date of Attestation of the Records.
[*See Rule 50 (a).*]

NOTICE to the proprietors, tenure-holders, landlords, raiyats, under-raiyats and occupants of—

Village	.	Pargana
Thana	.	District
Thana No.	or Revenue Survey No.	

Take notice that under the powers vested in me by the Bengal Tenancy Act, 1885 (VIII of 1885), and the rules made thereunder, I shall, on the day of 190 , at , proceed to attest and complete the record-of-rights in the above mentioned village.

You are hereby required to attend before me at the above-mentioned time and place, or at any other time and place to which the proceedings may be adjourned and to produce such evidence, written or oral, as you may have to offer on the subject-matter of the proceedings.

Revenue-officer.

(Bengal Land Records Form No. 33.)

FORM 11.

Notice for draft publication of the record.
[*See Rule 62(a), Chapter VI, of the Rules.*]

NOTICE to the proprietors, tenure-holders, landlords, raiyats, under-raiyats and occupants of—

Village	.	Pargana
Thana	.	District
Thana No.	or Revenue Survey No.	

Take notice that as the attestation of the record of the above-mentioned village has been completed, the Draft Record will be published by its contents being read out ~~in the village~~ on the . All persons interested are called on to attend on this date.

Revenue-officer.

(Bengal Land Records Form No. 34)

FORM 12.

Objection under section 103A of the Bengal Tenancy Act.

[*See Rule 62(b), Chapter VI, of the Rules.*]

Village	.	Pargana
Thana	.	District
Thana No.		or Revenue Survey No.

Name of objector, with father's name, caste and address.

Name, father's name, caste and address of person in whose khatian the entry objected to has been made, and number of khatian, if known.

Statement of entry objected to, with details of objection.

Statement of relief sought.

Signature of objector, with date of filing.

(Bengal Land Records Form No 35)

FORM 13.

Notice fixing the date for the hearing of an objection under Section 103A of the Bengal Tenancy Act.
[*See Rule 63.*]

By order of the Settlement Officer at
District

CASE No. OF 190

IN THE COURT OF

Objector.

Notice to

WHEREAS an objection (copy of which is annexed) under section 103A of the Bengal Tenancy Act has been filed, and the date of its disposal has been fixed for the 190 , you are hereby informed that you should, on the day fixed, appear personally or by agent in this Court at at o'clock to produce any evidence you have In case of your failing to appear at the time fixed, orders will be passed according to law.

Dated Month 190

(Bengal Land Records Form No. 31.)

FORM 14.

Notice for settlement of Fair Rents in connection with a settlement of the land revenue.

[*See Rule 65.*]

NOTICE to the proprietors, tenure-holders, landlords, raiyats, under-raiyats, and occupants of—

Village	.	Pargana
Thana	.	District
Thana No.	or Revenue Survey No.	

Take notice that on at I shall proceed to fix fair and equitable rents for all the tenants for the above-mentioned village.

All persons interested or concerned are called upon to attend at the place named above on the date specified.

Revenue-officer.

(Bengal Land Records Form No 36.)

FORM 15.

Notice for publication of a Table of Rates.

[*See Rule 69 (a).*]

NOTICE to the proprietors, tenure-holders, landlords, raiyats, under-raiyats, and occupants of—

Village . | Pargana
Thana . | District
Thana No. or Revenue Survey No.

Take notice that a table of rates for the above-mentioned village has been prepared, and that it will be published ~~in the village~~ on the day of

All persons interested are called upon to attend on the date specified.

Revenue-officer.

(Bengal Land Records Form No. 37.)

FORM 16.

Notice for the publication of a Settlement Rent-roll.

[*See Rule 75.*]

NOTICE to the proprietors, tenure-holders, landlords, raiyats, under-raiyats and occupants of—

Village	.	Pargana	.
Thana	.	District	.
Thana No.	or Revenue Survey No.		

Take notice that fair rents having been settled for all tenants in the above-mentioned village, a Settlement Rent-Roll has been prepared, and that this Rent-Roll will be published by its contents being read out ~~in the village~~ on the

All persons interested are called upon to attend.

Revenue-officer.

(Bengal Land Records Form No 38)

FORM 17.

Notice for Final Publication of the Record.

[*See Rule 79.*]

NOTICE to the proprietors, tenure-holders, landlords, raiyats, under-raiyats, and occupants of—

Village	.	Pargana	.
Thana	.	District	.
Thana No.	or Revenue Survey No.		

Take notice that all objections under section 103A of the Tenancy Act having been decided by the Revenue-officer *and the Settlement Rent-Roll having been incorporated in the record-of-rights*, the record of the above-mentioned village has been finally framed and will be published by its contents being read out in the village on the

All persons interested are called on to attend on this date.

Revenue-officer.

NOTE.—The words in italics are to be omitted in cases in which a settlement of land revenue is not being made.

(Bengal Land Records Form No. 32.)

FORM 18.

Notice for service on Persons interested in an application made by Landlord or Tenant for Settlement of Fair Rents.

[*See Rule 84.*]

To

WHEREAS (here state name, description and address of applicant or applicants) landlords / tenants have made an application, in which you are interested, for the settlement of a fair rent for lands in village , a copy of the application / an extract containing such parts of the application as concern you is hereby served on you, and you are hereby summoned to appear in this Court in person or by duly-authorized agent at o'clock on the at for final disposal of the application. In default of your appearance on the day mentioned, the application will be heard and determined in your absence. You should bring or send by your agent on the day fixed any document or evidence on which you intend to rely.

Revenue-officer.

SCHEDULE II.

(Referred to in Rule 4.)

BURDWAN DIVISION.

District.	Local areas.	Staple food-crops.	Marts at which prices to be taken.
1	2	3	4
Burdwan ...	Sadar subdivision ...	Rice	Burdwan.
	Asansol ditto ...	Do.	Raniganj.
	Katwa ditto ...	Do.	Katwa.
	Kalna ditto ...	Do.	Kalna.
Birbhum ...	Sadar subdivision ...	Rice	Suri.
	Rampur Hát ditto ...	Do.	Rampur Hát.
Bankura ...	Sadar subdivision ...	Rice	Bankura.
	Vishnupur ditto ...	Do.	Vishnupur.
Midnapore	Sadar subdivision ...	Rice	Midnapore.
	Ghatal ditto ...	Do.	Ghatal.
	Tamluk ditto ...	Do.	Tamluk.
	Contai ditto ...	Do.	Contai.
Hooghly ...	Sadar subdivision ...	Rice	Hooghly.
	Serampore ditto ...	Do.	Bhadreswar.
	Arambagh ditto ...	Do.	Arambagh.
	Howrah ditto ...	Do.	Howrah.
	Ulubaria ditto ...	Do.	Ulubaria.

PRESIDENCY DIVISION.

24-Parganas ...	Sadar subdivision ...	Rice	Chetla Hát.
	Baraset and Barrackpore subdivisions.	Do.	Baraset. / Bistopore.
	Diamond Harbour subdivision.	Do.	Mugra Hát.
	Basirhat subdivision ...	Do.	Baduria.
Nadia ...	Sadar subdivision ...	Rice	Goari.
	Ranaghat ditto ...	Do.	Ranaghat.
	Meherpur ditto ...	Do.	Kalibazar.
	Chuadanga ditto ...	Do.	Chuadanga.
	Kushtia ditto ...	Do.	Bahadurkhali.
Murshidabad ...	Sadar subdivision ...	Rice	Berhampore.
	Lalbagh ditto ...	Do.	Lalbagh.
	Kandi ditto ...	Do.	Kandi.
	Jangipur ditto ...	Do.	Jangipur.
Jessore ...	Sadar subdivision ...	Rice	Jessore.
	Narail ditto ...	Do.	Narail.
	Magura ditto ...	Do.	Magura.
	Jhenida ditto ...	Do.	Jhenida.
	Bongaon ditto ...	Do.	Bongaon.
Khulna ...	Sadar subdivision ...	Rice	Khulna.
	Satkhira ditto ...	Do.	Satkhira.
	Bagerhat ditto ...	Do.	Bagerhat.

PATNA DIVISION.

Patna ...	Sadar subdivision, excluding thana Maner.	*Makai* up-land ... / Rice low-land ...	Maroofganj.
	Barh subdivision ...	*Makai* up-land ... / Rice low-land ...	Barh.
	Bihar ditto ...	*Marwa* up-land ... / Rice low-land ...	Bihar.
	Dinapore subdivision, with thana Maner.	Barley up-land ... / Rice low-land ...	Dinapore.

PATNA DIVISION—*concld.*

District.	Local areas.	Staple food-crops.	Marts at which prices to be taken.
1	2	3	4
Gaya	Sadar subdivision	Wheat up-land Rice low land	Gaya.
	Nawadah ditto	Wheat up-land Rice low-land	Nawadah.
	Jahanabad ditto	Wheat up land Rice low-land	Jahanabad.
	Aurangabad ditto	Wheat up land Rice low-land	Aurangabad.
Shahabad	Sadar subdivision	Wheat up land Rice low-land	Arrah.
	Buxar ditto	Wheat up-land Rice low-land	Buxar
	Sasaram ditto	Wheat up-land Rice low land	Sasaram.
	Bhabhua ditto	Wheat up-land Rice low-land	Bhabhua
Saran	Sadar subdivision	*Makai* up-land Rice low-land	Shahebganj.
	Gopalganj ditto	*Makai* up land Rice low-land	Mirganj.
	Siwan ditto	*Makai* up land Rice low-land	Siwan.
Champaran	Sadar subdivision	*Makai* up-land Rice low land	Motihari.
	Bettiah ditto	*Makai* up-land Rice low-land	Bettiah
Muzaffarpur	Sadar subdivision	*Makai* up land Rice low-land	Muzaffarpur.
	Sitamarhi ditto	*Makai* up-land Rice low land	Sitamarhi
	Hajipur ditto	*Makai* up-land Rice low-land	Hajipur.
Darbhanga	Sadar subdivision	*Murwa* up land Rice low-land	Darbhanga.
	Madhubani ditto	*Murwa* up-land Rice low-land	Madhubani
	Samastipur ditto	*Makai* up-land Rice low-land	Samastipur.

BHAGALPUR DIVISION

Monghyr	Sadar subdivision	Wheat up land Rice low-land	Monghyr.
	Begusarai ditto	Wheat up land Rice low-land	Begusarai.
	Jamui ditto	Wheat up land Rice low land	Jamui.
Bhagalpur	Sadar subdivision	*Makai* up-land Rice low land	Bhagalpur.
	Banka ditto	*Makai* up-land Rice low-land	Banka
	Madhipura ditto	*Murwa* up land Rice low-land	Madhipura.
	Supaul ditto	*Murwa* up-land Rice low-land	Supaul
Purnea	Sadar subdivision	Wheat up land Rice low land	Beamsganj
	Araria ditto	Wheat up-land Rice low-land	Araria.
	Kishanganj ditto	Wheat up-land Rice low-land	Kishanganj.

ORISSA DIVISION.

Cuttack	Sadar subdivision	Rice	Cuttack town. Charchika Hât.
	Jajpur ditto	Do.	Jajpur town.
	Kendrapara ditto	Do.	Kendrapara town.
Balasore	Balasore Sadar subdivision	Rice	Balasore
	Bhadrak ditto	Do.	Bhadrak Chandbali.
Puri	Sadar subdivision	Rice	Puri. Banamalipur.
	Khurda ditto	Do.	Khurda.

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